

REMARKS

This is in response to the Office Action of February 27, 2006.

(1) Claims 1-4 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,221,332 to Thumm.

(2) Claims 5 and 7 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,314,506 to Midler.

(3) Claims 5-7 were rejected under 35 USC 103 as being obvious over the product sheet to BEEI in view of Midler.

(4) Finally, claims 5-7 were rejected under 35 USC 103 as being unpatentable over Midler in view of U.S. Patent No. 3,685,261 to McIlvaine.

In response to the rejections set forth above, Applicants have amended independent claims 1, 2, 3, 5 and 7 to further recite the step of contacting a stream (or a suspension) with an impacting surface or impingement surface. Thus, the claims of the present application recite contacting an impact or impingement surface and redirecting or adjusting a stream such that one stream is directed (e.g., oriented and positioned) in a direction that is substantially opposite to the direction of another stream.

Applicants respectfully submit that the primary references Thumm and Midler do not show or suggest the step of contacting a stream with an impacting or impingement surface. According to the Office Action, "Thumm shows the fluid streams being redirected as they round the corners of the flow channels and meet in the combined channel 121 as shown in Figures 2a, 2b and 2c – this redirection and meeting of the streams would necessarily cause searing between the mixing within the streams." (Office Action, p. 5). Midler, on the other hand, shows two diametrically opposed

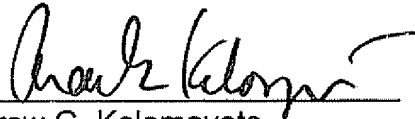
nozzles which provide for direct impingement of the respective fluid streams coming therefrom. Midler neither shows nor suggests contacting one of those streams with an impacting or impingement surface and redirecting a stream in a direction that is substantially opposite to the direction of another stream. It would appear with respect to Figure 2 of Midler, that given the angle of the nozzles shown, such redirection would not be possible. As for Figure 3, the diametrically opposed nozzles and the narrowed nozzle outlets provide for the direct impingement of streams described in Midler. In view of such direct impingement, contact with an impact surface and redirection of a fluid stream in a direction that is substantially opposite to the direction of a first stream would not seem likely and, in any event, is neither disclosed nor suggested, as Midler speaks to impingement of the fluid streams. For the reasons set forth above, Applicants respectfully submit that claims 1-4 and 5-7 are not anticipated by Midler and Thumm, respectively.

The fact that Midler does not disclose nor suggest using impingement or impact surfaces for contact with the fluid stream, and redirecting the fluid after said contacting, makes it very unlikely that one of ordinary skill in the art would have combined the teachings of Midler with the device shown in BEEI. Accordingly, the combination of Midler with BEEI or McIlvaine relative to claims 5-7 which also recite mixing a solution, including a dissolved organic compound with a solvent to form a suspension of particles (Claim 5) or moving a solution including an organic compound dissolved in a water miscible organic compound to form a first solution stream (Claim 7), would not have been obvious.

Applicants have also added dependant Claims 9-21 which recite further steps of the methods disclosed in this application.

Applicants submit that the claims are now in condition for allowance. A Request for Continued Examination accompanies this Amendment. Favorable reconsideration of the claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew G. Kolomayets", written over a horizontal line.

Andrew G. Kolomayets
Registration No. 33,723

COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street - #2850
Chicago, IL 60606
(312) 236-8500